

EXHIBIT C

VIA FIRST-CLASS MAIL AND EMAIL

New York University
 C/o Mark A. Petti
 Director of Retirement Plans and Global Benefits
 105 East 17th Street – 4th Floor
 New York, NY 100033
mp837@nyu.edu

October 31, 2024

Re: Claim re: Survivor Beneficiary Designation – David F Greenberg TIAA-CREF Account

Mr. Petti:

Mr. Martin Hecht, estate administrator for the late David F. Greenberg (the “Estate”) has retained the law firm of Schwartz, Conroy & Hack P.C. to represent the Estate’s interests in connection with the distribution of proceeds of the following accounts:

A6132193/ P6132190	TIAA-CREF Retirement Annuity (RA) plan issued in 1974
L30977S6/ M30977S4	Continuation of TIAA-CREF RA plan A6132193/ P6132190, updated in 2018
F1776563/ H1776569	TIAA-CREF Retirement Choice (RC) plan issued in 2024

Attached, please find a letter of authorization, signed by Mr. Hecht, authorizing Schwartz, Conroy & Hack, P.C. to act on his behalf as administrator for the Estate.

We contest the distribution of survivor benefits payable under the above-referenced contracts to the named contingent beneficiary, New American Movement (a/k/a Democratic Socialists of America).

On September 23, 2024, this office provided TIAA-CREF (“TIAA”) with a Notice of Intent to Dispute the beneficiary designation, serving as notice to TIAA not to distribute the proceeds of the above-referenced contracts to the named contingent beneficiary until the Estate has had a full and fair opportunity to dispute such distribution (the “September 23rd Notice”). A copy of our September 23rd Notice is attached hereto.

In our September 23rd Notice, we requested any and all documents related to David F. Greenberg’s TIAA-CREF account, including but not limited to:

- a. The Summary Plan Description;
- b. The beneficiary designation form, designating New American Movement as plan beneficiary;
- c. Any and all correspondence between TIAA and Mr. Greenberg regarding his beneficiary designation; and
- d. Any other claims procedure forms.

On October 23, 2024, we received a letter from TIAA in response to our September 23rd Notice (the “October 23rd Response”). A copy of TIAA’s October 23rd Response is attached hereto. In its October 23rd Response, TIAA provided copies of the beneficiary records on file via a secure link but stated that the plan documents are maintained by New York University as plan sponsor.

Therefore, **please provide us with the following for each of the above-referenced contracts:**

- a. The underlying Plan Document, inclusive of disclosure documents and any amendments thereto;
- b. The Summary Plan Description;
- c. Any applicable notices or disclosures;
- d. Any claims procedure forms;
- e. Any and all correspondence between New York University and Mr. Greenberg regarding his beneficiary designation(s) from 1974 until the date of his death on July 12, 2024.

Furthermore, please provide written confirmation that New York University is both the Plan Sponsor and the Plan Administrator for the above-referenced contracts.

As you New York University is aware, under the Employee Retirement Income Security Act (“ERISA”), a Plan Administrator is required to provide, upon written request from a plan participant or beneficiary, a copy of certain documents, including summary plan descriptions, annual reports, terminal reports, bargaining agreements, trust agreements, contracts, or other documents that establish or govern the plan. *See* 29 U.S.C. § 1024(b)(4). Failure to comply with such request(s) for the foregoing within thirty (30) days can result in a court awarding statutory penalties of up to \$110 per day. *See* 29 U.S.C. § 1132(c)(1); *N. Jersey Plastic Surgery Ctr., LLC v. 1199SEUI Nat’l Ben. Fund*, No. 22-cv-6087 (PKC), 2023 U.S. Dist. LEXIS 162387 (S.D.N.Y. Sep. 13, 2023) (increasing maximum statutory damage amount under § 1132(c)(1) to \$110 per day).

SCHWARTZ, CONROY & HACK, PC

Making Insurance Companies Keep Their Promises

Please direct all correspondence to our firm as representative for Mr. Martin Hecht and the Estate. Correspondence can be sent via email to sam@schlawpc.com, ess@schlawpc.com and mzh@schlawpc.com and via mail to:

Schwartz Conroy & Hack, P.C.
Attn: Sarah McMahon
666 Old Country Rd., 9th Floor
Garden City, NY 11530

Dated: October 31, 2024
Garden City, New York

Sincerely,

/s/Sarah McMahon

Sarah McMahon, Esq.

SCHWARTZ, CONROY & HACK, P.C.

666 Old Country Road, 9th Floor

Garden City, New York 11530

(516) 745-1122

(516) 745-0844 fax

Email: sam@schlawpc.com